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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,761	10/31/2001	Thomas C. Amon	EVU-02-PUSA	5829
23410	7590	06/09/2004	EXAMINER	
COHEN SAKAGUCHI & ENGLISH LLP 2040 MAIN STREET, 9TH FLOOR IRVINE, CA 92614			EDELMAN, BRADLEY E	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 06/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/001,761

Applicant(s)

AMON ET AL.

Examiner

Bradley Edelman

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in a first action on the merits of this application. Claims 1-11 are presented for examination. This application is a continuation of application no. 08/912,991, which has been abandoned.

Specification

1. Claims 1-4, 7, and 8 are objected to because of the following informalities: the claims present numerous steps or elements, but omit the word "and" to separate the limitations. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Shi et al. (U.S. Patent No. 5,875,296, hereinafter "Shi").

In considering claim 1, Shi discloses a method of delivering information across a computer network, comprising the steps of:

Receiving a request from a client program for user-selected information (col. 8, lines 16-18, wherein a server receives an HTTP request from a client browser); and

Transmitting provider-selected information ("login HTML form") in response to the request if no qualifying provider-selected message ("cookie," col. 6, lines 54-55) has been previously transmitted to the client program (col. 8, lines 26-33, wherein if no "cookie" has been transmitted from the provider to the client, then the provider transmits provider-selected login HTML form to the client).

In considering claim 2, claim 2 presents an apparatus for performing the same method as described in claim 1, wherein a server performs the receiving and transmitting steps. Shi discloses this server ("server"), and thus, claim 2 is rejected for the same reasons as claim 1.

In considering claim 3, Shi discloses a method of delivering information across a computer network, comprising the steps of:

Receiving a request from a client program for user-selected information (col. 8, lines 16-18, wherein a server receives an HTTP request from a client browser); and

Transmitting provider-selected information ("login HTML form") in response to the request if no qualifying provider-selected message ("cookie," col. 6, lines 54-55) has been transmitted to the client program within at least one provider-selected interval (col. 8, lines 26-33; col. 9, lines 3-8; col. 7, lines 16-20, wherein if no updated "cookie" has been transmitted from the provider to the client before the provider-selected expiration

date of the previous cookie, then the previous cookie is expired, and the provider transmits a provider-selected login HTML form to the client).

In considering claim 4, claim 4 presents an apparatus for performing the same method as described in claim 3, wherein a server performs the receiving and transmitting steps. Shi discloses this server ("server"), and thus, claim 4 is rejected for the same reasons as claim 3.

In considering claim 5, Shi further discloses that the request from the client program is by means of the HTTP ("HTTP request," col. 8, line 16).

In considering claim 6, Shi further discloses transmitting the user-selected information if a qualifying provider-selected message has been previously transmitted to the client program (col. 9, lines 3-8, wherein if a cookie has already been transmitted to the client program, it is used to retrieve the Web document requested).

In considering claim 7, Shi discloses a method of delivering information across a computer network, comprising the steps of:

Receiving a request from a client program for user-selected information (col. 8, lines 16-18, wherein a server receives an HTTP request from a client browser); and

Transmitting provider-selected information ("login HTML form") in response to the request if no qualifying provider-selected message ("cookie," col. 6, lines 54-55) has

Art Unit: 2153

been previously transmitted to the client program (col. 8, lines 26-33, wherein if no "cookie" has been transmitted from the provider to the client, then the provider transmits provider-selected login HTML form to the client);

The provider-selected information causing the client program to transmit a second request for user-selected information (col. 8, line 32 – col. 9, line 7, wherein the transmission of the login form to the client causes the client browser to later submit the filled in form, which, after authentication is complete, serves as the second request for the data).

In considering claim 8, claim 8 presents an apparatus for performing the same method as described in claim 7, wherein a server performs the receiving and transmitting steps. Shi discloses this server ("server"), and thus, claim 8 is rejected for the same reasons as claim 7.

In considering claim 9, Shi further discloses transmitting the requested user-selected information in response to the second request for user-selected information (col. 9, lines 3-8).

In considering claim 10, Shi discloses a method for delivering information across a computer network comprising the steps of:

Receiving an HTTP GET request from a client program for user-selected information (col. 8, lines 16-17);

Transmitting from a server a provider-selected information ("login HTML form") in response to the HTTP GET request (col. 8, lines 32-33);

The provider-selected message causing the client program to transmit an HTTP POST request (i.e. the form on the browser is filled out and transmitted back to the server); and

Transmitting the user-selected information in response to the HTTP POST request (col. 8, line 34 – col. 9, line 8, wherein the information is sent to the client after the authentication procedure is complete).

In considering claim 11, Shi further discloses that the HTTP POST request includes a referrer header containing a URL for the server (col. 8, lines 33-46, wherein the POST request is sent to the server, and therefore contains its URL).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is (703) 306-3041. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5:00 PM.

Art Unit: 2153

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (703) 305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

For all correspondences: (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Bradley Coleman

BE

June 4, 2004